



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096
HELENA, MONTANA 59626-0096


1282096 - R8 SDMS

Ref: 8MO

June 9, 1994

Kevin Kirley
Montana Department of Health &
Environmental Sciences
2209 Phoenix Avenue
P.O. Box 200901
Helena, MT 59620-0901

Re: Milltown Water Users Association
MDHES Transfer of Well Ownership

Dear Kevin:

I recently received a call from Brian Sherry, Milltown Water Users Association (MWUA), inquiring whether EPA has any record of the actual transfer of ownership from Montana Department of Health & Environmental Sciences (MDHES) to MWUA of the replacement water supply well for Milltown. I have reviewed EPA's Administrative Record for Milltown and was unable to find documentation of the transfer.

Could you please review the State's files and see if there is a record of the actual transfer of ownership? I am enclosing some correspondence from Barbara Jones, MDHES, to Barbara Stroh, MWUA, which notes that the State was preparing to make the transfer back in 1986. Please let me know what you find. Also, I am assuming that MWUA could use a certified copy of original documentation. Please send the appropriate documentation to Barbara Stroh, Secretary, Milltown Water Users Association, Box 187, Milltown, Montana 59859.

Finally, I know that MWUA has tried to track down information on a formal easement agreement Champion to MWUA of property where the well and pump house are located. In my review of Milltown records at EPA, I found the additional enclosed correspondence from MDHES to Champion regarding that easement. Do you have any records showing that the Certificate of Survey was given to Champion and/or any subsequent completion of the easement agreement?

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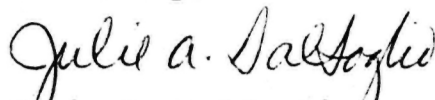


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Thank you for checking into these two issues. If you need additional information or help, please let me know.

Sincerely,



Julie A. DalSoglio
Remedial Project Manager

Enclosures

cc w/enclosures:

Bill Kirley, MDHES
Brian Sherry, MWUA
Barbara Stroh, MWUA

cc w/o enclosures:

Henry Elsen, 8MO
Bob Fox, 8MO

CONCURRENCE COPY

Ref: 8MO

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Brian Sherry, MWUA
Barbara Stroh, MWUA

cc w/o enclosures:

Henry Elsen, 8MO
Bob Fox, 8MO

FCD: June 9, 1994:milltown:jad:transfer.mwu

g AD 6/9/94

ADMINISTRATIVE RECORD
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES



TED SCHWINDEN, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

Solid & Hazardous Waste Bureau
(406) 444-2821

HELENA, MONTANA 59620

April 30, 1986

Barbara Stroh, Secretary
Milltown Water Users Association
P.O. Box 187
Milltown, MT 59851

Dear Barbara:

Thank you for informing me of the Milltown Water Users Association annual meeting on May 7. Unfortunately, I have another commitment and will not be able to attend.

In lieu of attending the meeting, I will comment on some topics that are of interest to the Association.

OWNERSHIP OF THE MILLTOWN WATER SYSTEM

According to Section III of the Milltown Water Supply Agreement, the water system will become the property of the Association one year after the effective date of the agreement, which was June 26, 1985. That is, the system will become the property of the Association on June 26, 1986. At that time the Association will have full financial responsibility for operation, maintenance, and repair of the system. We will be happy to meet with the Association at any time in the next few weeks to discuss transfer of ownership of the system if you have questions.

DEBTS OWED TO THE ASSOCIATION

The Association forwarded two bills that were more than six months delinquent, in accordance with Section II (2) of the agreement. These bills were turned over to the Montana Department of Revenue for appropriate action. If payment is received either by the Department of Revenue or our department, it will be forwarded to the Association. If, at any time, you receive the amount due directly from the person whose bill is delinquent, please let me know so that I can inform the Department of Revenue and our accountants.

OPERATIONAL AND MAINTENANCE EXPENSES

Attached is a summary of operational and maintenance expenses paid to

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date by MDHES. Also included is an estimate of total O & M expenses for the one-year trial period. A copy of the original projection for O & M expenses by Robert Peccia and Associates is attached for your reference. Assuming that the Association is paying into the reserve account at the rate of \$875 a year, annual expenses for 1985-1986 will be very close to predicted costs.

Please note, however, the distribution of these expenses is different than projected. Most significantly, power costs have been about two and a half times higher than projected (\$2,000 instead of \$800). Note that the power bill for the period of February 19 - March 19 alone was \$724.26. The Missoula MPC representative was concerned about this high bill, and contacted both Art Bush and our department about it. He felt that the high reading was probably accurate, and might have been caused by leaving the heaters on in the pumphouse. However, he removed the original meter and sent it in to be checked, just to make sure the reading was accurate.

The association may wish to reevaluate actual expenses for the year and adjust rates accordingly.

Feel free to contact me with other questions or concerns.

Sincerely,

Barbara Jones
Environmental Engineer
Solid & Hazardous Waste Bureau

BJ/pm
cc: Jim Knoy, EPA

ADMINISTRATIVE RECORD

OPERATIONAL AND MAINTENANCE COSTS TO DATE MILLTOWN WATER SYSTEM May 1, 1986

POWER COSTS

May 24 - June 19	130.11
June 19 - July 19	47.45
July 19 - August 20	59.32
August 20 - September 19	44.68
September 19 - October 18	73.11
October 18 - November 18	133.34
November 18 - December 18	243.96
December 18 - January 17	188.61
January 17 - February 19	170.49
February 19 - March 19	<u>724.26</u>
	\$1,815.33

OPERATIONAL & CLERICAL LABOR COSTS

July 1985 - April 1986: 10 months at \$200/month = \$2,000.00

ROUTINE CHEMICAL & BACTERIOLOGICAL ANALYSIS

June 1985 - March 1986: \$140.70

TOTAL EXPENSES TO DATE: \$3,956.03

PREDICTED ADDITIONAL EXPENSES THROUGH JUNE 1986

POWER	240.00
LABOR	400.00
LAB ANALYSIS	<u>19.50</u>
	\$ 659.50

TOTAL PREDICTED O & M EXPENSES 1985 - 1986

\$4,615.53

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DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

ADMINISTRATIVE RECORD

TED SCHWINDEN, GOVERNOR

COGSWELL BUILDING



STATE OF MONTANA

Solid & Hazardous Waste Bureau

Telephone: 406-444-2821

HELENA, MONTANA 59620

May 22, 1986

Mr. John Price
Champion International Corporation
Drawer 7
Bonner, MT 59823

Dear John,

Within a few weeks the Montana Department of Health and Environmental Sciences will be transferring ownership of the Milltown water system to the Milltown Water Users Association. I am attempting to straighten out some details so that the transfer will go smoothly.

According to our records, MDHES had a special use permit from Champion for construction of the water well, pipeline, and pump house for the Milltown system. The permit was signed in November, 1984 and expired on March 31, 1985. I don't find any evidence in the files that this permit was ever modified or extended to cover additional construction or operation time. I assume Champion will have to draw up a separate agreement to allow the Association to use the land associated with the water system in perpetuity, since there is no longer a viable agreement between MDHES and Champion that could be transferred. Please let me know if there will be any problem at this time in drawing up an agreement of this kind with the Association. We hope to make the transfer by the first of July, and the Association will need an agreement in place by then.

Many thanks for all your help and concern. You have certainly gone out of your way to assist everybody concerned with the water system.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Jones".

Barbara Jones
BJ:jv

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File: Milltown
Agree.
Milltown Wtr.
Users Assn.

ADMINISTRATIVE RECORD



ENVIRONMENTAL PROTECTION
AGENCY

AUG 06 1986

MONTANA OFFICE

Ms. Barbara Jones
Montana Department of Health &
Environmental Sciences
Solid & Hazardous Waste Bureau
Cogswell Building
Helena, MT 59620

July 31, 1986

Dear Ms. Jones:

I am in receipt of a letter you wrote to Mr. John Price inquiring as to the status of an easement which Champion International Corporation is going to grant to the Milltown Water Users Association. The easement is meant to replace a special use permit issued to the State Department of Health & Environmental Sciences in November 1984.

At the time the permit was issued I told Mr. Mike Rubich that in order for Champion to issue an easement, we would need the Certificate of Survey of the pipeline and pump house site filed with the Missoula County Surveyors office. I am now in the process of preparing the easement but upon checking with Missoula County, I found that the Certificate of Survey has never been recorded.

The survey work was done by Robert Peccia and Associates of Helena, at the request of the State Department of HES.

I have the easement prepared except for the description supplied in the Certificate of Survey and as soon as I get a copy of the survey showing the COS number I'll have the easement signed and delivered to the Milltown Water Users Association.

If you will contact John Peccia and Associates and request them to file the survey with Missoula County, we should be able to complete this project.

Thank you in advance for your help in this matter.

Very truly yours,

A handwritten signature in cursive script that reads 'James C. Poling'.

James C. Poling
Property and Tax Manager

lff/POL2
xc: J. Price

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